

AMENDED IN ASSEMBLY AUGUST 17, 2009

AMENDED IN ASSEMBLY MAY 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

Assembly Joint Resolution

No. 15

**Introduced by Assembly Members De Leon, Ammiano, and
John A. Perez**

**(Coauthors: Assembly Members Block, Blumenfield, Fuentes, Jones,
Ma, Monning, and ~~Portantino~~ Portantino, and Skinner)**
(Coauthors: Senators Kehoe and Pavley)

April 20, 2009

Assembly Joint Resolution No. 15—Relative to the Uniting American Families Act.

LEGISLATIVE COUNSEL'S DIGEST

AJR 15, as amended, De Leon. Uniting American Families Act.

This measure would urge the Congress of the United States *to include the Reuniting Families Act and the Uniting American Families Act in comprehensive immigration reform or to pass*, and President Obama to sign, the Uniting American Families Act *as stand-alone legislation* and support the removal of legal barriers to immigration by permanent same-sex partners.

Fiscal committee: no.

- 1 WHEREAS, Every American is entitled to equal protection
- 2 under the law; and
- 3 WHEREAS, The principle of family unification is an
- 4 unassailable characteristic of our immigration system under which

1 legal permanent residents and United States citizens should be
2 able to sponsor their loved ones for immigration status; and

3 WHEREAS, Federal law does not currently recognize permanent
4 same-sex partners as family members for immigration purposes,
5 including same-sex partners that are married or recognized as
6 married in various states; and

7 WHEREAS, This results in thousands of United States citizens
8 being forced into exile to be with foreign born partners, causing
9 unnecessary hardship, separation from family members and careers,
10 and loss of valuable skills and resources for our country; and

11 WHEREAS, The Uniting American Families Act (*H.R. 1024/S.*
12 *424*) has been introduced in Congress by ~~Senator Patrick Leahy~~
13 ~~and Representative Jerrold Nadler with 95 cosponsors in the United~~
14 ~~States House of Representatives and 17 cosponsors in the United~~
15 ~~New York Representative Jerrold Nadler and Vermont Senator~~
16 ~~Patrick Leahy with 115 cosponsors in the United States House of~~
17 ~~Representatives and 20 cosponsors in the United States Senate to~~
18 ~~amend the Immigration and Nationality Act and allow United~~
19 ~~States citizens and legal permanent residents to sponsor same-sex~~
20 ~~partners for immigration, and California Representative Mike~~
21 ~~Honda has introduced the Reuniting Families Act (*H.R. 2709*), a~~
22 ~~broad family immigration bill which will overcome many barriers~~
23 ~~to family reunification in current immigration law and includes~~
24 ~~the Uniting American Families Act; and~~

25 WHEREAS, The Uniting American Families Act defines
26 “permanent partner” as an individual 18 years of age or older who
27 is in a committed, intimate relationship with another individual
28 18 years of age or older in which both parties intend a lifelong
29 commitment; is financially interdependent with that other
30 individual; is not married to or in a permanent partnership with
31 anyone other than that other individual; is unable to contract with
32 that other individual a marriage cognizable under the Immigration
33 and Nationality Act; and is not a first-, second-, or third-degree
34 blood relation of that other individual; and

35 WHEREAS, Although there are a relatively low number of
36 binational same-sex partners, they are severely harmed by
37 discrimination and a lack of protection under current immigration
38 law; and

39 WHEREAS, Data compiled over two decades documents that
40 there has not been a single case of fraud perpetrated by a person

1 or partnership in any domestic partners benefit plan in the United
2 States since those benefit plans began in 1982; and

3 WHEREAS, The United States is behind other democracies in
4 extending fair treatment in immigration policies to same-sex
5 partners, and the Uniting American Families Act of 2009 would
6 bring United States immigration law in line with 16 other countries
7 that currently recognize same-sex partnerships for immigration
8 purposes: Australia, Belgium, Brazil, Canada, Denmark, Finland,
9 France, Germany, Iceland, Israel, the Netherlands, New Zealand,
10 Norway, *Portugal*, South Africa, Sweden, and the United Kingdom;
11 and

12 WHEREAS, The Uniting American Families Act is an
13 appropriate next step towards establishing equality in immigration
14 standards for same-sex partners; now, therefore, be it

15 *Resolved by the Assembly and the Senate of the State of*
16 *California, jointly*, That the Legislature and the State of California
17 urge the United States Congress *to include the Reuniting Families*
18 *Act and the Uniting American Families Act in comprehensive*
19 *immigration reform or to pass*, and President Barack Obama to
20 sign, the Uniting American Families Act *as stand-alone legislation*
21 at the earliest possible date and support the removal of legal
22 barriers to immigration by permanent same-sex partners; and be
23 it further

24 *Resolved*, That the Chief Clerk of the Assembly transmit copies
25 of this resolution to the President and Vice President of the United
26 States, to the Speaker of the House of Representatives, and to each
27 Senator and Representative from California in the Congress of the
28 United States.